

Objection to the Report and Recommendation CV 08-4405(SLT)(VVP)  
 ALLSTATE INSURANCE COMPANY,et,al, V MARK MIRVIS, et,al  
 FROM:Mark Lupolover

The Honorable Sandra L Townes and US Magistrate Judge Viktor V Pohorelsky , i am Mark Lupolover attempting to make a motion to vacate a default judgement requested by ALLSTATE INS. CO.

In response to Report and Recommendation i would like to address following matters that would shed some light and reality on this matter.

On April 28 2013 i did respond with a affidavit to the application for default filed by Plaintiffs , i hope that affidavit explains my inability to provide an answer to Plaintiffs complaint .

In regards of the default judgement against me I will try to demonstrate that there is no Liability established by Plaintiffs in this case. Plaintiffs allegations of RICCO, Money laundering and Mail Fraud

are totally falls , as i have stated in my previous letter to the court our so called Criminal Enterprise was investigated by State and Federal Government Agencies including IRS audit , as a result i was never

charged with any misconduct. There is so many inconsistencies in the Report and Recommendation document , i like to point out just a few, to give an idea how Absurd and Misleading the Complaint is its self .

For example on the page 8 of Report and Recommendation it states: Management Defendants through support staff controlled and directed the operations of the PC Defendants by preparing and submitting fraudulent insurance claims , medical records, and bills to the plaintiff.

-In no event i had any baring on Medical billing or Medical records that were submitted to the Plaintiff , I simply don't have the knowledge or expertise to be able to manipulate this process.

On the Page 8 its also states: Management Defendants served as a clearinghouse by receiving significant transfers of cash and checks from PC Defendants which they funneled back to the Principal Defendants.

What does that mean? Its sounds dirty.

-In no event there were any cash transfers or checks deposited to my personal account or any of real estate or business ventures , the reality is , the PC owner would transfer funds (fixed monthly amount )

for the services provided to management company and every principal received a salary w-2 , and this is how all of the corporate America functions.

On the page 9 its alleged : Principal Defendants entered into compensation agreement with the Medical Doctor Defendants in order to purchase the use of their names and licenses. The Principal Defendants retained true ownership and control over the PC Defendants , in direct contravention of the prohibition against non-licensed lay persons receiving No-Fault benefits under New York Law.

In no event i possessed PC ownership or had any control over it.

On the same page next paragraph its states that Dr Slutsky was one of the true beneficial owners of the PC and received fee and compensation from Principal Defendants trough the

Management Defendants.

Yes its true that he was the sole owner of the PC but the other part of that paragraph doesn't even make any sense.

In no event i am as a Principal or Management defendant made any financial contributions to Dr Slutskiy or any other Owner of PC

ON Page 10.its alleged : Principal Defendant arranged for the signature of the doctors , and other medical professionals , to appear on the medical reports and bills that were submitted to the plaintiffs in the name of the PC

Defendant for payment.

I don't even know how to respond to this , i wish there would be a law to hold Attorneys responsible for this kind of allegations (knowing that is NOT true ). I am aware that several doctors settled with ALLSTATES civil lawsuit , just not to get involved in expensive and lengthy never-ending battle, and none to my knowledge has indicated or confirmed this absurd allegation.

Also on page 10 : ALLSTATE created Money Laundering Defendants ,alleging money being funneled through those companies , doesn't make any sense but its sounds great on the complaint .

The reality is very simple , there were never any money transferred or check deposited from any of the PC accounts towards any purchase of the investments property , it was a real estate boom as we all know

and every OF 9 LLC named in the complaint was purchased with a 10% downpayment and the rest financed , money towards downpayment was always contributed from each partners personal account,

there was never money took back from those investments or distributed between partners sense it was a big loss for every one involved .

Nothing Funneled , Nothing Laundered .

And at last Page 12 allegations against Lupolover.

Sorry for repeating paragraph B of Page 12 but i like to respond to it in detail

Lupolover was also an officer each of the Money Laundering Defendants Id 72-81.During the course of the Medical Network Enterprise scheme , Lupolover at various times served as the owner,president,or CEO of FLAT80,

and as vice -president of Hillmed & B-way.167,174-175,182 He was also responsible for the fraudulent billing operations of the PC Defendants including but not limited to, Dover Medical 182. In his roles an owner of Flat 80,

Lupolover assisted in funneling money from the PC Defendants , specifically Dover Medical , to the Principal Defendants 182,193.

Where do i begin, I think its better if i put it in my own words.

I Am Mark Lupolover was officer of each LLC that purchased an investment property with intend to develop and rent . During the course of my involvement as a owner , CEO ,President of Flat 80 and vice-president of Hillmed &

B-way ,I was never directly responsible for Medical Billing by Dover Medical or any other PC , the scope of my responsibility only included day to day operation of the facility and transportation to and from.

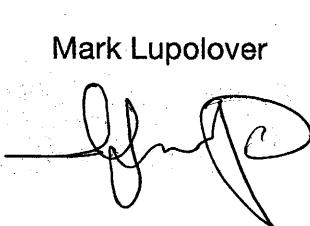
Dr Bentsianov owner of the medical PC was not a absentee doctor , thats why all bills for the medical services rendered was viewed and signed by the doctor,

and may i add I have not met more dedicated and professional individual then Dr Bentsianov .  
I am Mark Lupolover was also responsible as a CEO of the Flat80 to made sure that every  
employee and officer of that corp. will get their weekly salary w-2.  
Why would some one will call this (assisted funneling money from PC Defendants)?

ALLSTATE and their attorneys know how to put a twist on things, and i clearly understand that  
a logic not always applied to the LAW, and i am aware that i may have defaulted by not  
providing an answer ,  
but i refuse to accept the fact that ALLSTATE is trying to get a default judgment and include  
this unestablished criminal allegations against me.

I thank you for your time and consideration.

Mark Lupolover

A handwritten signature in black ink, appearing to read "Mark Lupolover". It is written in a cursive style with a large, stylized initial 'M' and 'L'. To the right of the signature, the date "3/16/2015" is written in a similar cursive style.

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3/18/2015

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